

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW MEXICO

IN RE:

Eric S. Dale, 5279,
fdba Distinction Investments, Inc.,
fdba Darshan Properties, LLC,
dba Value Plus Properties, LLC,
and Monique-Cheri T. Pierre, 0982,
aka Cheri Teresa Pierre,

Debtor(s).

Case No. 7 10-10350 SA

ORDER GRANTING SUNTRUST MORTGAGE, INC.'S
MOTION TO ABANDON PROPERTY LOCATED AT XXX[sic] PINSON DRIVE, NORTH PORT,
FLORIDA

THIS MATTER having come before the Court on the Motion to Abandon Property located at XXX[sic] Pinson Drive, North Port, Florida, filed by the Creditor SunTrust Mortgage, Inc. on July 8, 2010; a Notice of Objection Deadline to Motion to Abandon Property and Motion to Abandon were transmitted to the Debtor(s), attorney for the Debtor(s), and Trustee on July 8, 2010, the objection deadline was August 2, 2010 and the time to file an objection to the Motion has passed, and no objection has been received from the Debtor(s), attorney for the Debtor(s) or Trustee. In compliance with the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, the attorney for the Creditor certifies under penalty of perjury by her signature herein, that she has complied with the Servicemembers Civil Relief Act, through receipt of a response from the Department of Defense Manpower Data Center, which states that Monique-Cheri T. Pierre is not a member of the military service of the United States or her allies. The Debtor Eric S. Dale did not sign the Note, therefore Creditor does not have his full social security number. Having reviewed the Debtors' Statements and Schedules, the attorney for the creditor states to the best of her knowledge the Debtor Eric S. Dale is not, as of this date, a member of the military service of the United States or her allies. The Court having considered the Motion and finding that Creditor is entitled to an Order abandoning the property,

and being otherwise advised in the premise;

IT IS, THEREFORE, THE ORDER OF THIS COURT that the certain property located in the County of Sarasota, State of Florida, and more particularly described as:

Lot 38 in Block 2530, 51st Addition to Port Charlotte, a Subdivision, according to the Plat thereof, as recorded in Plat Book 21, at Page 8, of the Public Records of Sarasota County, Florida

and having an address of XXX[sic] Pinson Drive, North Port, Florida, is hereby deemed abandoned, and the Creditor, its successors, assigns and/or real party in interest, and any and all junior lienholders are permitted to proceed with foreclosure action and/or Trustee's Sale pursuant to the Deed of Trust and the laws of the State of Florida, including the transmittal of any default letter required by the loan documents.

IT IS FURTHER THE ORDER OF THIS COURT that this Order shall retain its effect and validity should this case be converted to another Chapter proceeding, and Creditor shall be able to foreclose its interests in the appropriate Court and/or conduct a Trustee's Sale.


James S. Starzynski
U S BANKRUPTCY COURT JUDGE

Date Entered on Docket: August 6, 2010

SUBMITTED BY:

SUSAN C. LITTLE & ASSOCIATES, P.A.

By: KAREN H. BRADLEY/ S/ Electronically Submitted/ 8.5.10

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Bankruptcy of Eric S. Dale and Monique-Cheri T. Pierre; USBC No. 7 10-10350 SA; P/A: XXX[sic] Pinson Drive,
North Port, FL 34287